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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,619	02/06/2004	Yiu-Ming Leung	MS306647.01/40062.220US01	8357

7590 12/06/2006

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EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/773,619

Applicant(s)

LEUNG, YIU-MING

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: the amendment filed 9/13/06 to the application filed on 2/9/04.
2. Claims 1-25 are pending in the case. Claims 1 and 15 are independent claims.
3. The objections of claims 1-3, 9-10, 15-17, 23- 24 have been withdrawn in view of the amendment.
4. The allowance of claims 1-25 (indicated 1-24 instead of 1-25 by mistake in the previous action) has been withdrawn in view of Microsoft Excel 2000.

Information Disclosure Statement

5. The IDS filed 6/2/06 does not include the form 1449 and requesting Examiner to initial and return form 1449 is a mistake. This issue was confirmed with representative Timothy Scull on 11/20/06.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
7. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding independent claim 1 (and corresponding system claim 15), the claim recites "shifting the first portion of the subsequent table within the array to align the first and

second portion of the subsequent table" (lines 8-9). There is not a consistency between the claims and the specification since the specification discloses "the present invention shifts the second portion of the subsequent table ..." (page 3, lines 20-23).

Also, in claims 1 as well in claim 4, the *first unaltered portion* determined in the subsequent table or the third table and shifting said first portion appear to be contradictory since shifting said first portion makes it to *be altered*.

Dependent claims 2-14, 16-25 are rejected for fully incorporating the deficiencies of their base claims 1 and 15.

Regarding claim 3, which is dependent on claim 2, it is confusing since in claim 2, the second portion of the subsequent table is the portion of the subsequent table outside the column range UCR of the dynamic table. In claim 3, the LCR/RCR is the portion of the subsequent table extending outside of the UCR column range. Therefore, shifting the LCR/RCR of the subsequent table to align the LCR/RCR with the second portion of the subsequent table does not make sense since the LCR/RCR and the second portion of the subsequent table are the same. Also, it is noted that the preamble recites shifting the first portion, which is mentioned in claim 1 rejection above.

Claim 17 is the corresponding system claim of method claim 3, and is rejected under the same rationale.

Dependent claims 4-14, 18-25 are rejected for fully incorporating the deficiencies of their base claims 3 and 17.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-2, 12, 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Excel 2000, screenshots pages 1-6.

Regarding independent claim 1, Excel 2000 discloses:

- editing the dynamic table by selectively inserting at least one record to or deleting at least one record from the dynamic table (pages 2-6: editing the first table by inserting one record 1577 to the table or two records to the table)
- shifting the first portion of the subsequent table within the array to align the first and second portions of the subsequent table (pages 2-6: the whole second table, which includes the first portion including cells below the first table and the second portion including cells not below the first table, is shifted down so that both portions are aligned, maintaining the integrity of the second table)

Excel does not explicitly disclose:

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- determining whether a subsequent table within the array includes a first unaltered portion and a second portion that is shifted within the array by the step of editing the dynamic table

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Excel 2000 to include said determining since by editing the first table, the second table, which is the subsequent table, within the array spreadsheet, is shifted down so that the distance between the two tables are always the same suggests that different portions of the second table be determined to be shifted to maintain the integrity of the subsequent table.

Regarding claim 2, which is dependent on claim 1, Excel 2000 discloses:

- calculating a Union Column Range (UCR) of cells that extends below the dynamic table (pages 3-4: selecting by highlighting the range of cells below the dynamic table shows that the UCR is calculated to extend these selected cells)

Excel 2000 does not disclose:

- determining whether a column range of the subsequent table overlaps the column range UCR of the dynamic table, wherein the overlapping column range of the subsequent table comprises the second portion of the subsequent table

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Excel 2000 to include said determining since shifting down the whole second table (pages 2-5) where the second table includes cells below the first dynamic table and cells not below the first dynamic table implies the first

portion and the second portion of the second table, which is the subsequent table, are determined.

Claim 12 is for a program product of method claim 1, and is rejected under the same rationale.

Claims 15-16 are for a system for performing method claims 1-2, and are rejected under the same rationale.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Moss et al. (US 5,613,131, 03-1997). Ueki (US 6,065,022, 05-2000).

Suzuki (US 6,247,030, 06-2001). Suzuki (US 6,687,875, 02-2004).

Hollcraft (US 2004/0111666, 06-2004). Patterson et al. (US 7,127,672, 10-2006).

Gao et al. (US 2005/0154974, 07-2005).

Lehenbauer et al. (US 2006/0048045, 03-2006).

Becker et al. (US 2006/0075328, 04-2006).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Thurs (9:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cong-Lac Huynh
Primary Examiner
Art Unit 2178
11/21/06